THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12134 of 2004

Dated:11.07.2007

Between
Ch.Rama Rao

.....Petitioner

and

1.Transmission Corporation of AP Limited, (AP Tranco) rep., by its Chief Managing Director, Vidyut Soudha, Khairatabad, Hyderabad
And others.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12134 of 2004

ORDER:

This writ petition is filed seeking to declare the action of the respondents in not restoring the power supply to petitioner's rice mill service connection bearing No.259 situated at Penubaka Vilalge, Rajam Mandal, Srikakulam District, without regard to the proceedings of the 2nd respondent in file No.SAT/10008/SKL/PSKL/Rajam/P/F.752/D.No.501 dated 17.11.2001 as illegal and arbitrary and contrary to the orders dated 9.4.2003 of this Court in WP No.640 of 2003.

It appears that the petitioner is running a rice mill and for the said purpose, he had obtained LT service connection bearing No.259 from the erstwhile APSEB presently AP Transco. While that being so, on 31.7.2001 an inspection was

conducted by the officials of the respondent-AP Transco and a provisional assessment was made. Thereafter, final assessment was made on 17.11.2001. Aggrieved by the same, the petitioner filed writ petition No.640 of 2003 and the same was allowed by this Court *vide* order dated 9th April, 2003 directing the respondents to transfer the case of the petitioner to the Special Tribunal, having jurisdiction, within a period of two weeks from the date of receipt of a copy of the order. According to the petitioner, the respondents neither referred the matter to the Special Tribunal as per the direction of this Court nor restored the power supply to the unit of the petitioner so far. Therefore, this writ petition is filed.

While admitting the writ petition, on 21.7.2004 this Court in WPMP No.16009 of 2004 directed the respondents to restore power supply to the petitioner's rice mill service connection bearing No.259 situated at Penubaka Village, Rajam Mandal, Srikakulam district, without reference to the proceedings dated 17.11.2001 of the 2nd respondent pending writ petition.

No counter is filed as of now.

In view of the above, the respondents are directed to refer the matter to the Special Tribunal constituted under the Indian Electricity AP amendment Act, 2000 i.e., I Additional District Judge concerned, if not already referred. The petitioner unit shall be supplied with power regularly on payment of usual charges, during pendency of the decision of the Special Tribunal.

Writ petition is accordingly disposed of. No costs.

_____

11-07-2007

rkk